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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/500,401	02/02/2005	Junji Oiwa	SONYJP 3.3-342	4396

15028 7590 08/19/2011

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EXAMINER	
HASAN, SYED Y	

ART UNIT	PAPER NUMBER
2484	

NOTIFICATION DATE	DELIVERY MODE
08/19/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

eOfficeAction@ldlkm.com

Office Action Summary	Application No.	Applicant(s)	
	10/500,401	OIWA ET AL.	
	Examiner	Art Unit	
	SYED HASAN	2484	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *20 July 2011*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1, 4 - 11 and 14 - 20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1, 4 - 11 and 14 - 20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 07/20/2011 has been entered.

Response to Arguments

2. Applicant's arguments with respect to claims 1, 4 – 11 and 14 - 20 filed on 07/20/2011 have been considered but are moot in view of the new ground(s) of rejection.

Applicant has amended claim 1 an added the limitation "one of the plurality of information means having greatest of available capacities of the information recording means" and argues that the relied on sections of Yoshida do not overcome the shortcomings of the relied on sections of Utsonomiya.

Examiner presents the disclosure of Takahashi (US 5067029). Takahashi discloses that "According to this embodiment, the operator can select as a recording medium either one of the semiconductor memory 40, the optical card 36, and the magnetic disk 58. In consequence, in a case where a large number of pictures are to be shot, the operator needs only to select as the recording medium the optical card 36 or the magnetic disk 58 having a great recording capacity to record the obtained

pictures. On the other hand, for a small number of pictures to be shot, as the capacity of the memory 40 is sufficient for recording the pictures, the operator may select either one of the memory 40, the optical card 36, and the magnetic disk 58." (col 6, lines 42 – 53).

Hence Takahashi overcomes the limitation "one of the plurality of information means having greatest of available capacities of the information recording means" and therefore claim 1 stays rejected.

Therefore independent claims 1, 8, 11 and 18 and their dependent claims remain rejected.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1, 4 – 7, 11 and 14 – 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Utsunomiya et al (US 2002/0044503) in view of Yoshida (US 2004/0160863) and further in view of Takahashi (US 5067029)

Regarding **claim 1** Utsunomiya et al discloses an information recording apparatus for executing a data recordation process (fig 1) the information recording apparatus comprising:

a plurality of information recording means for recording data (fig 1, item 3 and 4,

para 0039, a first recorder/player 3 (denoted by VCR 1 in the figure), a second recorder/player 4 (denoted by VCR 2 in the figure)) and

a recordation control process executing section for executing a selection process to select a recording medium based on available capacities of the information recording means (para 0047, "At the time of this information writing, in the event that the control unit 10 judges that the available capacity of the disk 18 is low and that the contents being written cannot be recorded to the end, the control unit 10 generates consecutive recording information made up of information indicating which recorder/player the subsequent information of the contents ID will be consecutively recorded to, and adds this to the contents with the consecutive recording information adding unit 12.")

for executing a data recordation process to at least one of the plurality of information recording means (fig 1, para 0051, "the recorder/player 3 sends instructions regarding the output destination of the broadcast receiver 2 connected to the IEEE 1394 bus 1, recording instructions to the recorder/player 4 to perform consecutive recording, and like control signals, thereby controlling communication on the serial bus 1.") and

for executing a process of generating control information during data reproduction (fig 8, para 0071, "the recorder/player 3 not only performs communication link generating control with itself and the display 5, but also performs communication link generating control between the recorder/player 4 and the display 5.")

the control information including reproduction procedure information in which a procedure for reproducing data is stored (para 0085, "The dispersed storage location information is used for playing the information recorded in a dispersed state in a time-

wise continuous manner, and the contents recorded in a dispersed state are played by the electronic information equipment storing the dispersed storage location information.") and

reproduction management information in which link information to the reproduction procedure information, (is stored) (fig 11, paras 0084, "the dispersed storage location information is information of the storage location for each contents ID ("ID" meaning "identifier"), and the information of the storage location includes information indicating one or multiple recorder/players, and in the event that there are multiple recorder/players, the information also includes information indicating the order thereof.")

video/audio section data file names (para 0035, "all pictures, audio, and other data recorded in or output from the electronic information devices may be referred to as "contents".", para 0048, Information of the recorder/player consecutively recording the contents is stored in the consecutive recorder information memory 17 beforehand. That is to say, the present embodiment is configured such that the user can use the key input operating unit 16 beforehand to specify the recorder/player (consecutive recorder) to continue executing recording following partway ending, for cases wherein the recording ends partway through due to insufficient available capacity in the recording medium being recorded upon." And para 0053, "in response to this output request, the broadcast receiver 2 sends the compressed digital output out onto the bus 1, with the output destination as the recorder/player 3. The recorder/player 3 then receives the compressed digital output from the broadcast receiver 2, and writes this to the disk 18

as described above (step S3). At this time, the contents ID (identifier) of the contents A and the recording position a recorded on the disk 18, as described above." Illustrate audio/video section data file names (identifier)")

time information (para 0085, "The dispersed storage location information is used for playing the information recorded in a dispersed state in a time-wise continuous manner, and the contents recorded in a dispersed state are played by the electronic information equipment storing the dispersed storage location information." Illustrates time information) and

video/audio header information are stored (para 0053, "in response to this output request, the broadcast receiver 2 sends the compressed digital output out onto the bus 1, with the output destination as the recorder/player 3. The recorder/player 3 then receives the compressed digital output from the broadcast receiver 2, and writes this to the disk 18 as described above (step S3). At this time, the contents ID (identifier) of the contents A and the recording position a recorded on the disk 18, as described above." Illustrate audio/video header information)

wherein in the case of continuously executing a data recordation process to at least another of the plurality of information recording means,(fig 1, 3 and 4)

a plurality of pieces of reproduction procedure information are generated corresponding respectively to the plurality of information recording means (fig 8, para 0071, "the recorder/player 3 not only performs communication link generating control with itself and the display 5, but also performs communication link generating control between the recorder/player 4") and

link information to the plurality of pieces of reproduction procedure information is stored to one piece of the reproduction management information,(fig 11, para 0083, "information indicating the recorder/player to continue recording was contained and recorded in the contents recorded in the recording medium, but with the second embodiment, information of the dispersed storage location of the contents dispersed and recorded is recorded in and managed by one of the electronic information devices connected to the bus. This information of the dispersed storage location is also information regarding the dispersed storage devices, management information) and (U, para 0084, the dispersed storage location information is information of the storage location for each contents ID ("ID" meaning "identifier"), and the information of the storage location includes information indicating one or multiple recorder/players, and in the event that there are multiple recorder/players, the information also includes information indicating the order thereof, link information") and

wherein the recordation control process executing section is adapted to store continue information, representative of whether recording a same content continuously to a next piece of reproduction procedure information (para 0048, "the present embodiment is configured such that the user can use the key input operating unit 16 beforehand to specify the recorder/player (consecutive recorder) to continue executing recording following partway ending, for cases wherein the recording ends partway through due to insufficient available capacity in the recording medium being recorded upon")

to storage domains corresponding to individual pieces of reproduction procedure

information (para 0049, "the control unit 10 of the recorder/player according to the configuration shown in FIG. 3 recognizes all equipment connected to the bus 1 via the IEEE 1394 interface 11, and generates list information of the devices connected to the bus 1 based on this recognition, which is displayed on a display omitted in FIG. 3. Then, information of the consecutive recorder is stored in the memory 17 by the user selecting an appropriate consecutive recorder from the list of devices shown. The control unit 10 reads out the information of the consecutive recorder stored in the memory 17, and includes this in the consecutive recorder information.")

However Utsunomiya et al does not disclose to store end information other than continue information, representative of whether a piece of reproduction procedure information is a final piece of reproduction procedure information, in a data storage domain corresponding to an individual piece of reproduction procedure information

On the other hand Yoshida teaches to store end information other than continue information, representative of whether a piece of reproduction procedure information is a final piece of reproduction procedure information, in a data storage domain corresponding to an individual piece of reproduction procedure information (para 0092 and 0127)

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate to store end information other than continue information, representative of whether a piece of reproduction procedure information is a final piece of reproduction procedure information, in a data storage domain corresponding to an individual piece of reproduction procedure information as taught by Yoshida in the

system of Utsunomiya et al in order to provide end information to be read out when finishing the playback of the recording information recorded in the data area

The combination of Utsunomiya et al and Yoshida do not disclose one of the plurality of information means having greatest of available capacities of the information recording means

On the other hand Takahashi teaches one of the plurality of information means having greatest of available capacities of the information recording means

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate one of the plurality of information means having greatest of available capacities of the information recording means as taught by Takahashi in the combined system of Utsunomiya et al and Yoshida in order to desirably select one of the recording media so as to feed the video signal read to the selected recording medium.

Regarding **claim 4** Utsunomiya et al discloses an information recordation apparatus, wherein the recordation control process executing section (fig 3, 10, control unit) is adapted to store, in each piece of the reproduction procedure information, management information on data continuously recorded on one of the plurality of information recording means (fig 8, para 0071, "the recorder/player 3 not only performs communication link generating control with itself and the display 5, but also performs communication link generating control between the recorder/player 4") and information enabling a storage position of the data to be determined (fig 11, paras 0084 – 0086, illustrates location of storage)

Regarding **claim 5** Utsunomiya et al discloses an information recordation

apparatus, wherein the recordation control process executing section is adapted to compare an available capacity for recording data between the plurality of information recording means, and select information recording means having a greater available capacity for data recordation (fig 4 and 5, para 0054, available capacity monitored)

Regarding **claim 6** Utsunomiya et al discloses an information recordation apparatus, wherein the recordation control process executing section is adapted to compare a remaining capacity of the information recording means under data recording with a preset threshold, and execute continuously a data recordation process to another information recording means on condition that the remaining capacity becomes less than the threshold (fig 5, para 0056, continue recording)

Regarding **claim 7** Utsunomiya et al discloses an information recordation apparatus, wherein the recordation control process executing section is adapted to generate first reproduction procedure information when commencing a data recordation process to the information recording means, and store link information to the first reproduction procedure information to the reproduction management information (see claim 1 above) and generate new second reproduction procedure information in the case of executing continuing data recording to different information recording means, store link information to the second reproduction procedure information to the reproduction management information, and set continue information representative of having next reproduction procedure information to the first reproduction procedure information (fig 4 and 5, S10 continue record in VCR 2)

Method **claims 11 and 14 – 17** are rejected based on apparatus claims 1 and 4 to 7 respectively.

5. Claims 8 - 10 and 18 – 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Utsunomiya et al (US 2002/0066113) in view of Yoshida (US

2004/0160863) in view of Koyama et al (US 61122010) and further in view of Takahashi (US 5067029)

Regarding **claim 8** Utsunomiya et al discloses an information reproduction apparatus for executing a data recordation process and for executing a data reproducing process (fig 1) the information reproduction apparatus comprising:

a plurality of information recording means for subject-of-reproducing data (fig 1, item 3 and 4, para 0039)

a recordation control process executing section for executing a selection process to select recording available capacities of the information recording means (para 0047, "At the time of this information writing, in the event that the control unit 10 judges that the available capacity of the disk 18 is low and that the contents being written cannot be recorded to the end, the control unit 10 generates consecutive recording information made up of information indicating which recorder/player the subsequent information of the contents ID will be consecutively recorded to, and adds this to the contents with the consecutive recording information adding unit 12.")

for executing a data recordation process to at least one of the plurality of information recording means ,(fig 8, para 0071, "the recorder/player 3 not only performs communication link generating control with itself and the display 5, but also performs communication link generating control between the recorder/player 4 and the display 5.") and

for executing a process of generating control information during data reproduction; ,(fig 8, para 0071, "the recorder/player 3 not only performs communication link generating control with itself and the display 5, but also performs communication link generating control between the recorder/player 4 and the display 5.") and

a reproduction control process executing section for executing a reproducing process of data continuously stored on the information recording means, depending upon control information (fig 8, para 0071)

the control information including reproduction procedure information in which a procedure for reproducing data is recorded and reproduction management information in which link information to the corresponding reproduction procedure information is stored (see claim 1 above)

wherein in a case that there are a plurality of pieces of reproduction procedure information linked to the reproduction management information (fig 1, item 3 and 4) the plurality of pieces of reproduction procedure information are switched in order and applied as control information (fig 8, para 0071) and reproduction-of-subject data is acquired from different information recording means based on an individual piece of reproduction procedure information (fig 11, para 0083 and 0084)

wherein the reproduction management information stores, in a data storage domain corresponding to each piece of reproduction procedure information, continue information representative of whether recording a same content continuously to next pieces of reproduction procedure information (paras 0048, 0049 and 0055, see argument above) and the reproduction management information stores, in a data storage domain corresponding to an individual piece of reproduction procedure information, (para 0075) and

reproduction management information in which link information to the reproduction procedure information, video/audio section data file names, time information, and video/audio header information are stored (see claim 1 above)

However Utsunomiya et al does not disclose end information other than continue information, representative of whether a piece of reproduction procedure information is

a final piece of reproduction procedure information each of the plurality of information recording means stores management information about content recorded on at least one different recording medium

On the other hand Yoshida teaches to store end information other than continue information, representative of whether a piece of reproduction procedure information is a final piece of reproduction procedure information, in a data storage domain corresponding to an individual piece of reproduction procedure information (para 0092 and 0127, see argument above)

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate to store end information other than continue information, representative of whether a piece of reproduction procedure information is a final piece of reproduction procedure information, in a data storage domain corresponding to an individual piece of reproduction procedure information as taught by Yoshida in the system of Utsunomiya et al in order to provide end information to be read out when finishing the playback of the recording information recorded in the data area

The combination of Utsunomiya et al and Yoshida do not disclose each of the plurality of information recording means stores management information about content recorded on at least one different recording medium

On the other hand Koyama et al teaches each of the plurality of information recording means stores management information about content recorded on at least one different recording medium (col 3, lines 26 – 43 illustrates plurality of information recording means and col 80, lines 19 – 24 and col 81, lines 10 – 19 illustrate storing on a different recording medium)

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate each of the plurality of information recording means stores

management information about content recorded on at least one different recording medium as taught by Koyama et al in the combined system of Utsunomiya et al and Yoshida in order to effectively utilize recording area of the recording medium and facilitate the management of the recorded picture.

The combination of Utsunomiya et al, Yoshida and Koyama do not disclose one of the plurality of information means having greatest of available capacities of the information recording means

On the other hand Takahashi teaches one of the plurality of information means having greatest of available capacities of the information recording means

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate one of the plurality of information means having greatest of available capacities of the information recording means as taught by Takahashi in the combined system of Utsunomiya et al, Yoshida and Koyama in order to desirably select one of the recording media so as to feed the video signal read to the selected recording medium.

Regarding **claim 9** Utsunomiya et al discloses an information reproduction apparatus, wherein the reproduction control process executing section is adapted to determine whether to continuously execute reproduction control depending upon the continue information in the reproduction management information for the piece of reproduction procedure information corresponding to the data under reproduction (fig 6, reproduction)

Regarding **claim 10** Utsunomiya et al discloses an information reproduction apparatus, wherein the reproduction control process executing section (fig 6, 10, control

unit) is adapted to acquire, is adapted to from the reproduction procedure information, management information on data continuously recorded on one of the plurality of information recording means (fig 8, para 0071, "the recorder/player 3 not only performs communication link generating control with itself and the display 5, but also performs communication link generating control between the recorder/player 4") and

information enabling a storage position of the data to be determined (fig 11, para 0084 – 0086)

Method **claims 18 – 20** are rejected based on apparatus claims 8 – 10 respectively

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure

Horii et al (US 2003/0081515) discloses information recording medium, and apparatus and information reproducing apparatus and copying apparatus.

Kotani (US 2002/0159186) discloses an information data reproducing apparatus

Matoba et al (US 2002/0097986) discloses a broadcast storage system with reduced users control actions.

Ino et al (US 6292626) discloses a reproducing and recording apparatus.

Iitsuka (US 5415686) discloses a data playback apparatus for realizing high transfer data.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SYED Y. HASAN whose telephone number is (571)270-1082. The examiner can normally be reached on 9/8/5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/S. Y. H./
08/08/2011

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